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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

ACTIVISION PUBLISHING, INC.,

Plaintiff,

v.

RYAN ROTHOLZ a/k/a “Lerggy,”
“Lerg,” “Lergster,” “The Pimp,”
“Joker0699,” and “Joker”; COLLIN
GYETVAI a/k/a “Cid” and
“CollinOnDex”; JORDAN
NEWCORBE BOOTHEY a/k/a
“Bossnight55” and “Aussie”; DOE 1
a/k/a “Seemo”; DOE 2 a/k/a “CEO,”
“wndprohandler,” and “8485”; and
DOES 3 through 10, inclusive,

Defendants.

CASE NO. 2:25-cv-04075-SPG-(BFMx)

Judge: Hon. Sherilyn Peace Garnett

**RESPONSE OF PLAINTIFF
ACTIVISION PUBLISHING, INC.
TO ORDER TO SHOW CAUSE
WHY CASE SHOULD NOT BE
DISMISSED FOR LACK OF
PROSECUTION**

Filed: May 7, 2025

RESPONSE TO ORDER TO SHOW CAUSE

On August 7, 2025, this Court issued an Order to Show Cause (“OSC”), requiring Plaintiff Activision Publishing, Inc. (“Plaintiff” or “Activision”) to show cause as to why this case should not be dismissed for lack of prosecution.

In the OSC, the Court noted that Defendants Ryan Rothholz (“Rothholz”), Collin Gyetvai (“Gyetvai”), and Jordan Newcombe Boothey (“Boothey”) (collectively, “Defendants”) have been served with the Complaint but have not answered. The Court stated that Activision could satisfy the OSC by seeking entry of defaults for the Defendants by no later than August 21, 2025.

In compliance with the OSC, today Activision filed requests with the Court to enter the defaults of Boothey (Dkt. 29) and Gyetvai (Dkt. 30). Activision is prepared to do the same for Defendant Rothholz, but respectfully requests guidance from the Court on how to proceed given recent events.

As the Court is aware, Rothholz (who is not represented by counsel) has sought multiple times to file motions to dismiss the Complaint and to transfer venue. *See* Dkts. 13, 14, 18, 19, 23. Each time, his filings have been stricken by the Court due to defects, without prejudice to re-filing. *See* Dkts. 17, 22, 27. Most recently, Rothholz’s motion was stricken on August 7, 2025, because he failed to certify that he had met and conferred with Activision prior to filing pursuant to Local Rule 7-3 (which he did not). Dkt. 27. The order striking his motion instructed Rothholz that if he fixed the identified deficiency, he could re-file his motion by no later than August 28, 2025—7 days after the date by which Activision has been ordered to request entry of Rothholz’s default. *Id.*

On August 14, 2025, Rothholz contacted Activision and asked for a teleconference pursuant to Local Rule 7-3 regarding his contemplated motion. The teleconference took place today, during which Mr. Rothholz indicated that he intends to re-file his motion by August 28, 2025, in accordance with the Court’s order.

1 To be clear, Activision is prepared to comply with the OSC by seeking entry
2 of Defendant Rothholz's default by August 21, 2025. However, given Rothholz's
3 stated intention to re-file his motion on or before August 28, 2025, and the fact that
4 Rothholz is not represented by counsel, Activision respectfully requests the Court's
5 guidance on how it would like Activision to proceed as to this Defendant.

6 DATED: AUGUST 20, 2025

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